

**2001 DRAFTING REQUEST****Senate Amendment (SA-SB55)**Received: **05/24/2001**Received By: **malaigm**Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau 6-3847**By/Representing: **Zimmerman**This file may be shown to any legislator: **NO**Drafter: **malaigm**

May Contact:

Addl. Drafters:

Subject: **Children - juvenile justice**

Extra Copies:

Submit via email: **NO**

Requester's email:

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**Pre Topic:**

LFB:.....Zimmerman -

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**Topic:**

Southern Oaks Girls School mental health unit funding

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**Instructions:**

See Attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	malaigm 05/24/2001	gilfokm 05/24/2001		_____			
/1			jfrantze 05/25/2001	_____	lrb_docadmin 05/25/2001		
/2	malaigm 06/05/2001	gilfokm 06/05/2001	pgreensl 06/05/2001	_____	lrb_docadmin 06/05/2001		

Vers.    Drafted    Reviewed    Typed    Proofed    Submitted    Jacketed    Required

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Page 1.

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&lt;END&gt;



# Legislative Fiscal Bureau

One East Main, Suite 301 - Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

Date: 5-24-01

DELIVER TO:

Gordon Malaise

Addressee Fax #:

4-6948

Addressee Phone #:

6-9738

# of Pages, Including Cover:

2

Sender's Initials:

AZ

From:

Zimmerman

Message:

*I decided just to send yous:  
# 336*

Senator Plache  
Representative Duff

CORRECTIONS -- JUVENILE CORRECTIONS

Southern Oaks Girls School Mental Health Unit Funding

Motion:

Move to direct OJA, to the extent allowable under federal regulations, to provide \$433,100 in 2001-02 and \$541,700 in 2002-03 under the federal JAIBG block grant to operate the mental health unit at the Southern Oaks Girls School.

MO#	336	
Burke	<input checked="" type="radio"/>	N
Decker	<input checked="" type="radio"/>	N
Moore	<input checked="" type="radio"/>	N
Shibitski	<input checked="" type="radio"/>	N
Plache	<input checked="" type="radio"/>	N
Wirth	<input checked="" type="radio"/>	N
Darling	<input checked="" type="radio"/>	N
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Kaufert	<input checked="" type="radio"/>	N
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Huabsch	<input checked="" type="radio"/>	N
Huber	<input checked="" type="radio"/>	N
Coggs	<input checked="" type="radio"/>	N

16-D

28 CFR 31.500 to 31.503

(7-1-00 Edition)

AND ASSURANCES

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3-415, as amended,  
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;

## Department of Justice

§ 31.501

(d) Title IX of the Education Amend-  
ments of 1972;

(e) The Age Discrimination Act of  
1975;

(f) The Department of Justice Non-  
Discrimination regulations, 28 CFR  
part 42, subparts C, D, E, and G;

(g) The Department of Justice regu-  
lations on disability discrimination, 28  
CFR parts 35 and 39; and

(h) Subtitle A, title II of the Ameri-  
cans with Disabilities Act (ADA) of  
1990.

### Subpart B—Juvenile Account- ability Incentive Block Grants

SOURCE: 64 FR 19676, Apr. 21, 1999, unless  
otherwise noted.

#### § 31.500 Program purposes.

Funds are available under the Juve-  
nile Accountability Incentive Block  
Grants (JAIBG) in FY 1998, FY 1999,  
and each subsequent fiscal year as  
funds are made available, for State and  
local grants to support the following  
program purposes:

(a) *Program purpose no. 1:* Building,  
expanding, renovating, or operating  
temporary or permanent juvenile cor-  
rection or detention facilities, includ-  
ing the training of correctional per-  
sonnel;

(b) *Program purpose no. 2:* Developing  
and administering accountability-  
based sanctions for juvenile offenders;

(c) *Program purpose no. 3:* Hiring addi-  
tional juvenile judges, probation offi-  
cers, and court-appointed defenders,  
and funding pre-trial services for juve-  
niles, to ensure the smooth and expedi-  
tious administration of the juvenile  
justice system;

(d) *Program purpose no. 4:* Hiring addi-  
tional prosecutors, so that more cases  
involving violent juvenile offenders can  
be prosecuted and backlogs reduced;

(e) *Program purpose no. 5:* Providing  
funding to enable prosecutors to ad-  
dress drug, gang, and youth violence  
more effectively;

(f) *Program purpose no. 6:* Providing  
funding for technology, equipment, and  
training to assist prosecutors in identi-  
fying and expediting the prosecution of  
violent juvenile offenders;

(g) *Program purpose no. 7:* Providing  
funding to enable juvenile courts and

juvenile probation offices to be more  
effective and efficient in holding juve-  
nile offenders accountable and reduc-  
ing recidivism;

(h) *Program purpose no. 8:* The estab-  
lishment of court-based juvenile jus-  
tice programs that target young fire-  
arms offenders through the establish-  
ment of juvenile gun courts for the ad-  
judication and prosecution of juvenile  
firearms offenders;

(i) *Program purpose no. 9:* The estab-  
lishment of drug court programs for ju-  
veniles so as to provide continuing ju-  
dicial supervision over juvenile offend-  
ers with substance abuse problems and  
to provide the integrated administra-  
tion of other sanctions and services;

(j) *Program purpose no. 10:* Estab-  
lishing and maintaining interagency  
information sharing programs that en-  
able the juvenile and criminal justice  
system, schools, and social services  
agencies to make more informed deci-  
sions regarding the early identifica-  
tion, control, supervision, and treat-  
ment of juveniles who repeatedly com-  
mit serious delinquent or criminal  
acts;

(k) *Program purpose no. 11:* Estab-  
lishing and maintaining account-  
ability-based programs that work with  
juvenile offenders who are referred by  
law enforcement agencies, or which are  
designed, in cooperation with law en-  
forcement officials, to protect students  
and school personnel from drug, gang,  
and youth violence; and,

(l) *Program purpose no. 12:* Imple-  
menting a policy of controlled sub-  
stance testing for appropriate cat-  
egories of juveniles within the juvenile  
justice system.

#### § 31.501 Eligible applicants.

(a) *Eligible applicants.* Eligible appli-  
cants in FY 1998, FY 1999, and each sub-  
sequent fiscal year as funds are made  
available, are States whose Governor  
(or other Chief Executive Officer for  
the eligible jurisdictions that are not  
one of the 50 States but defined as such  
for purposes of this program) certifies,  
consistent with guidelines established  
by the Attorney General in consulta-  
tion with Congress and incorporated  
into OJJDP's Program Guidance Man-  
ual, that the State is actively consid-  
ering (or already has in place), or will

consider within one year from the date of such certification, legislation, policies, or practices which, if enacted, would qualify the State for a grant. Specific information regarding qualifications can be found in the JAIBG Program Guidance Manual.

(b) *Qualifications.* Each State Chief Executive Officer must designate a state agency to apply for, receive, and administer JAIBG funds.

**§ 31.502 Assurances and plan information.**

(a) In its application for a Juvenile Accountability Incentive Block Grant (JAIBG), each State must provide assurances to the Office of Juvenile Justice and Delinquency Prevention (OJJDP), absent a waiver as provided in the JAIBG Program Guidance Manual, that:

(1) The State will subgrant at least 75% of the State's allocation of funds to eligible units of local government to implement authorized programs at the local level; and

(2) The State, and each unit of local government applying for a subgrant from the State, will expend not less than 45% of any grant provided to such State or unit of local government, other than funds set aside for administration, for program purposes 3-9 in § 31.500 (c) through (i) of this subpart, and will not spend less than 35% for program purposes 1, 2, and 10 in § 31.500 (a), (b), and (j) of this subpart, unless the State certifies to OJJDP, or the unit of local government certifies to the State, that the interests of public safety and juvenile crime control would be better served by expending the grant award for purposes set forth in the twelve program areas in a different ratio. Such certification shall provide information concerning the availability of existing structures or initiatives within the intended areas of expenditure (or the availability of alternative funding sources for those areas), and the reasons for the State or unit of local government's alternative use.

(b) Following award of JAIBG funds to a State by OJJDP, but prior to obligation of program funds by the State or of subgrant funds by a unit of local government for any authorized pro-

gram purpose, a State administering JAIBG funds must provide to OJJDP information that demonstrates that the State, or a unit of local government that receives JAIBG funds, has established a coordinated enforcement plan for reducing juvenile crime, developed by a Juvenile Crime Enforcement Coalition (JCEC).

(c) State coordinated enforcement plans must be developed by a Juvenile Crime Enforcement Coalition consisting of representatives of law enforcement and social service agencies involved in juvenile crime prevention. To assist in developing the State's coordinated enforcement plan, States may choose to utilize members of the State Advisory Group (SAG) established by the State's Chief Executive under section 223(a)(3) of Part B of the Juvenile Justice and Delinquency Prevention (JJDP) Act of 1974, as amended, codified at 42 U.S.C. 5633(a)(3), if appropriate membership exists, or use or establish another planning group that constitutes a coalition of law enforcement and social service agencies.

(d) When establishing a local Juvenile Crime Enforcement Coalition (JCEC), units of local government must include, unless impracticable, individuals representing:

- (1) Police,
- (2) Sheriff,
- (3) Prosecutor,
- (4) State or local probation services,
- (5) Juvenile court,
- (6) Schools,
- (7) Business, and
- (8) Religious affiliated, fraternal, nonprofit, or social service organizations involved in crime prevention.

(e) Units of local government may utilize members of Prevention Policy Boards established pursuant to section 505(b)(4) of Title V of the JJDP Act, codified at 42 U.S.C. 5784(b)(4), to meet the JCEC requirement, provided that each JCEC meets the membership requirements listed in paragraph (d) of this section.

**§ 31.503 Notice of proposed use of funds.**

The mechanism for a State to report on the proposed use of funds by the State or by a subgrantee unit of local government is by electronic submission

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**PART 32—  
DEATH A**

**Subpart A—**

Sec.  
32.1 Purpose  
32.2 Definitl

32.3 Coverag  
32.4 Reasons  
32.5 Finding agencies.  
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## Department of Justice

of a "Follow Up Information Form" to be provided to each participating State. The purpose of this report is for the State to provide assurances to OJJDP that funds expended by the State and its subgrantee units of local government will be used for authorized program purpose areas. Although no actual program descriptions will be required, information about the distribution of funds among the authorized program purpose areas must be provided. Upon receipt and review of the "Follow Up Information Form" by OJJDP, States may obligate program funds retained for expenditure at the State level. Similarly, the State shall require that each recipient unit of local government submit its proposed use of non-administrative funds to the State prior to drawdown of subgrant funds to implement local programs and projects. Upon receipt and review of the local unit of government's proposed fund use, the State shall authorize the local unit of government to obligate local subgrant funds. The State shall electronically submit a copy of the local subgrant information to OJJDP, as provided in the award package, within 30 days of the date that the local unit of government is authorized to obligate program funds under its subgrant award.

### PART 32—PUBLIC SAFETY OFFICERS' DEATH AND DISABILITY BENEFITS

#### Subpart A—Death and Disability Benefits

Sec.

- 32.1 Purpose and OMB control number.
- 32.2 Definitions.

#### OFFICERS COVERED

- 32.3 Coverage.
- 32.4 Reasonable doubt of coverage.
- 32.5 Findings of State, local, and Federal agencies.
- 32.6 Conditions on payment.
- 32.7 Intentional misconduct of the officer.
- 32.8 Intention to bring about death or permanent and total disability.
- 32.9 Voluntary intoxication.

#### BENEFICIARIES

- 32.10 Order of priority.
- 32.11 Contributing factor to death.
- 32.12 Determination of relationship of spouse.
- 32.13 Determination of relationship of child.

## § 32.1

- 32.14 Determination of relationship of parent.
- 32.15 Determination of dependency.

#### INTERIM AND REDUCED DEATH PAYMENTS

- 32.16 Interim payment in general.
- 32.17 Repayment and waiver of repayment.
- 32.18 Reduction of payment.

#### FILING AND PROCESSING OF CLAIMS

- 32.19 Persons executing claims.
- 32.20 Claims.
- 32.21 Evidence.
- 32.22 Representation.

#### DETERMINATION, HEARING, AND REVIEW

- 32.23 Finding of eligibility or ineligibility.
- 32.24 Request for a hearing.

#### NATIONAL PROGRAMS FOR FAMILIES OF PUBLIC SAFETY OFFICERS WHO HAVE DIED IN THE LINE OF DUTY

- 32.25 National programs.

#### Subpart B—Public Safety Officers' Educational Assistance

- 32.31 Purpose.
- 32.32 Definitions.
- 32.33 Eligibility for assistance.
- 32.34 Application for assistance.
- 32.35 Retroactive benefits.
- 32.36 Action on applications for assistance.
- 32.37 Determination of benefits.
- 32.38 Denial of benefits.
- 32.39 Appeals.
- 32.40 Repayment.

#### APPENDIX TO PART 32—PSOB HEARING AND APPEAL PROCEDURES

AUTHORITY: Part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 U.S.C. 3711 *et seq.*).

SOURCE: 57 FR 24913, June 11, 1992, unless otherwise noted.

#### Subpart A—Death and Disability Benefits

##### § 32.1 Purpose and OMB control number.

(a) The purpose of this subpart is to implement the Public Safety Officers' Benefits Act of 1976, as amended, which authorizes the Bureau of Justice Assistance, Office of Justice Programs, to pay a benefit of \$100,000, adjusted in accordance with § 32.3(b), to specified survivors or public safety officers found to have died as the direct and proximate result of a personal injury sustained in the line of duty, and to claimant public

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**Appendix A -- Title III of H.R. 3**

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105th CONGRESS  
1st Session

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**H.R. 3**

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IN THE SENATE OF THE UNITED STATES

May 8, 1997

Received; read twice and referred to the Committee on the Judiciary

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**A BILL**

**To combat violent youth crime and increase accountability  
for juvenile criminal offenses.**

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**TITLE III -- ACCOUNTABILITY FOR JUVENILE  
OFFENDERS AND PUBLIC PROTECTION  
INCENTIVE GRANTS**

**SEC. 301. SHORT TITLE.**

This title may be cited as the "Juvenile Accountability Block Grants Act of 1997".

**SEC. 302. BLOCK GRANT PROGRAM.**

(a) IN GENERAL -- Part R of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796 et seq.) is amended to read as follows:

**"PART R -- JUVENILE ACCOUNTABILITY BLOCK GRANTS**

**"SEC. 1801. PROGRAM AUTHORIZED.**

"(a) IN GENERAL -- The Attorney General is authorized to provide grants to States, for use by States and units of local government, and in certain cases directly to eligible units.

"(b) AUTHORIZED ACTIVITIES -- Amounts paid to a State, a unit of local

government, or an eligible unit under this part shall be used by the State, unit of local government, or eligible unit for the purpose of promoting greater accountability in the juvenile justice system, which includes --

"(1) building, expanding, renovating, or operating temporary or permanent juvenile correction or detention facilities, including training of correctional personnel;

"(2) developing and administering accountability-based sanctions for juvenile offenders;

"(3) hiring additional juvenile judges, probation officers, and court-appointed defenders, and funding pre-trial services for juveniles, to ensure the smooth and expeditious administration of the juvenile justice system;

"(4) hiring additional prosecutors, so that more cases involving violent juvenile offenders can be prosecuted and backlogs reduced;

"(5) providing funding to enable prosecutors to address drug, gang, and youth violence problems more effectively;

"(6) providing funding for technology, equipment, and training to assist prosecutors in identifying and expediting the prosecution of violent juvenile offenders;

"(7) providing funding to enable juvenile courts and juvenile probation offices to be more effective and efficient in holding juvenile offenders accountable and reducing recidivism;

"(8) the establishment of court-based juvenile justice programs that target young firearms offenders through the establishment of juvenile gun courts for the adjudication and prosecution of juvenile firearms offenders;

"(9) the establishment of drug court programs for juveniles so as to provide continuing judicial supervision over juvenile offenders with substance abuse problems and to provide the integrated administration of other sanctions and services;

"(10) establishing and maintaining interagency information-sharing programs that enable the juvenile and criminal justice system, schools, and social services agencies to make more informed decisions regarding the early identification, control, supervision, and treatment of juveniles who repeatedly commit serious delinquent or criminal acts; and

"(11) establishing and maintaining accountability-based programs that work with juvenile offenders who are referred by law enforcement agencies, or which are designed, in cooperation with law enforcement officials, to protect students and school personnel from drug, gang, and youth violence.

## **"SEC. 1802. GRANT ELIGIBILITY.**

"(a) **STATE ELIGIBILITY** -- To be eligible to receive a grant under this section, a State shall submit to the Attorney General an application at such time, in such form, and containing such assurances and information as the Attorney General may require by rule, including assurances that the State and any unit of local government to which the State provides funding under section 1803(b), has in effect (or will have in effect not later than 1 year after the date a State submits such application) laws, or has implemented (or will implement not later than 1 year after the date a State submits such application) policies and programs, that --

"(1) ensure that juveniles who commit an act after attaining 15 years of age that would be a serious violent crime if committed by an adult are treated as adults for purposes of prosecution as a matter of law, or that the prosecutor has the authority to determine whether or not to prosecute such juveniles as adults;

"(2) impose sanctions on juvenile offenders for every delinquent or criminal act, or violation of probation, ensuring that such sanctions escalate in severity with each subsequent, more serious delinquent or criminal act, or violation of probation, including such accountability-based sanctions as --

"(A) restitution;

"(B) community service;

"(C) punishment imposed by community accountability councils comprised of individuals from the offender's and victim's communities;

"(D) fines; and

"(E) short-term confinement;

"(3) establish at a minimum a system of records relating to any adjudication of a juvenile who has a prior delinquency adjudication and who is adjudicated delinquent for conduct that if committed by an adult would constitute a felony under Federal or State law which is a system equivalent to that maintained for adults who commit felonies under Federal or State law; and

"(4) ensure that State law does not prevent a juvenile court judge from issuing a court order against a parent, guardian, or custodian of a juvenile offender regarding the supervision of such an offender and from imposing sanctions for a violation of such an order.

"(b) **LOCAL ELIGIBILITY-**

"(1) **SUBGRANT ELIGIBILITY** -- To be eligible to receive a subgrant, a unit of local government shall provide such assurances to the State as the State shall require, that, to the maximum extent applicable, the unit of local government has laws or policies and programs which --

"(A) ensure that juveniles who commit an act after attaining 15 years of age that would be a serious violent crime if committed by an adult are treated as adults for purposes of prosecution as a matter of law, or that the prosecutor has the authority to determine whether or not to

prosecute such juveniles as adults;

"(B) impose a sanction for every delinquent or criminal act, or violation of probation, ensuring that such sanctions escalate in severity with each subsequent, more serious delinquent or criminal act, or violation of probation; and

"(C) ensure that there is a system of records relating to any adjudication of a juvenile who is adjudicated delinquent for conduct that if committed by an adult would constitute a felony under Federal or State law which is a system equivalent to that maintained for adults who commit felonies under Federal or State law.

"(2) SPECIAL RULE -- The requirements of paragraph (1) shall apply to an eligible unit that receives funds from the Attorney General under section 1803, except that information that would otherwise be submitted to the State shall be submitted to the Attorney General.

## **"SEC. 1803. ALLOCATION AND DISTRIBUTION OF FUNDS.**

### **"(a) STATE ALLOCATION --**

"(1) IN GENERAL -- In accordance with regulations promulgated pursuant to this part, the Attorney General shall allocate --

"(A) 0.25 percent for each State; and

"(B) of the total funds remaining after the allocation under subparagraph (A), to each State, an amount which bears the same ratio to the amount of remaining funds described in this subparagraph as the population of people under the age of 18 living in such State for the most recent calendar year in which such data is available bears to the population of people under the age of 18 of all the States for such fiscal year.

"(2) PROPORTIONAL REDUCTION -- If amounts available to carry out paragraph (1)(A) for any payment period are insufficient to pay in full the total payment that any State is otherwise eligible to receive under paragraph (1)(A) for such period, then the Attorney General shall reduce payments under paragraph (1)(A) for such payment period to the extent of such insufficiency. Reductions under the preceding sentence shall be allocated among the States (other than States whose payment is determined under paragraph (2)) in the same proportions as amounts would be allocated under paragraph (1) without regard to paragraph (2).

"(3) PROHIBITION -- No funds allocated to a State under this subsection or received by a State for distribution under subsection (b) may be distributed by the Attorney General or by the State involved for any program other than a program contained in an approved application.

**"(b) LOCAL DISTRIBUTION-**

**"(1) IN GENERAL --** Each State which receives funds under subsection (a) (1) in a fiscal year shall distribute not less than 75 percent of such amounts received among units of local government, for the purposes specified in section 1801. In making such distribution the State shall allocate to such units of local government an amount which bears the same ratio to the aggregate amount of such funds as --

**"(A) the sum of --**

**"(i) the product of --**

**"(I) two-thirds; multiplied by**

**"(II) the average law enforcement expenditure for such unit of local government for the 3 most recent calendar years for which such data is available; plus**

**"(ii) the product of --**

**"(I) one-third; multiplied by**

**"(II) the average annual number of part 1 violent crimes in such unit of local government for the 3 most recent calendar years for which such data is available, bears to --**

**"(B) the sum of the products determined under subparagraph (A) for all such units of local government in the State.**

**"(2) EXPENDITURES --** The allocation any unit of local government shall receive under paragraph (1) for a payment period shall not exceed 100 percent of law enforcement expenditures of the unit for such payment period.

**"(3) REALLOCATION --** The amount of any unit of local government's allocation that is not available to such unit by operation of paragraph (2) shall be available to other units of local government that are not affected by such operation in accordance with this subsection.

**"(c) UNAVAILABILITY OF DATA FOR UNITS OF LOCAL GOVERNMENT --** If the State has reason to believe that the reported rate of part 1 violent crimes or law enforcement expenditure for a unit of local government is insufficient or inaccurate, the State shall --

**"(1) investigate the methodology used by the unit to determine the accuracy of the submitted data; and**

**"(2) if necessary, use the best available comparable data regarding the number of violent crimes or law enforcement expenditure for the relevant years for the unit of local government.**

"(d) LOCAL GOVERNMENT WITH ALLOCATIONS LESS THAN \$5,000 -- If under this section a unit of local government is allocated less than \$5,000 for a payment period, the amount allotted shall be expended by the State on services to units of local government whose allotment is less than such amount in a manner consistent with this part.

**"(e) DIRECT GRANTS TO ELIGIBLE UNITS-**

"(1) IN GENERAL -- If a State does not qualify or apply for funds reserved for allocation under subsection (a) by the application deadline established by the Attorney General, the Attorney General shall reserve not more than 75 percent of the allocation that the State would have received under subsection (a) for such fiscal year to provide grants to eligible units which meet the requirements for funding under subsection (b).

"(2) AWARD BASIS -- In addition to the qualification requirements for direct grants for eligible units the Attorney General may use the average amount allocated by the States to like governmental units as a basis for awarding grants under this section.

**"SEC. 1804. REGULATIONS.**

"The Attorney General shall issue regulations establishing procedures under which an eligible State or unit of local government that receives funds under section 1803 is required to provide notice to the Attorney General regarding the proposed use of funds made available under this part.

**"SEC. 1805. PAYMENT REQUIREMENTS.**

"(a) TIMING OF PAYMENTS -- The Attorney General shall pay each State or unit of local government that receives funds under section 1803 that has submitted an application under this part not later than --

"(1) 180 days after the date that the amount is available, or

"(2) the first day of the payment period if the State has provided the Attorney General with the assurances required by subsection (c), whichever is later.

**"(b) REPAYMENT OF UNEXPENDED AMOUNTS-**

"(1) REPAYMENT REQUIRED -- From amounts appropriated under this part, a State shall repay to the Attorney General, by not later than 27 months after receipt of funds from the Attorney General, any amount that is not expended by the State within 2 years after receipt of such funds from the Attorney General.

"(2) PENALTY FOR FAILURE TO REPAY -- If the amount required to be repaid is not repaid, the Attorney General shall reduce payment in future payment periods accordingly.

"(3) DEPOSIT OF AMOUNTS REPAID -- Amounts received by the Attorney General as repayments under this subsection shall be deposited in a designated fund for future payments to States.

"(c) ADMINISTRATIVE COSTS -- A State, unit of local government or eligible unit that receives funds under this part may use not more than 10 percent of such funds to pay for administrative costs.

"(d) NONSUPPLANTING REQUIREMENT -- Funds made available under this part to States, units of local government, or eligible units shall not be used to supplant State or local funds as the case may be, but shall be used to increase the amount of funds that would, in the absence of funds made available under this part, be made available from State or local sources, as the case may be.

"(e) MATCHING FUNDS -- The Federal share of a grant received under this part may not exceed 90 percent of the costs of a program or proposal funded under this part.

#### **"SEC. 1806. UTILIZATION OF PRIVATE SECTOR.**

"Funds or a portion of funds allocated under this part may be utilized to contract with private, nonprofit entities or community-based organizations to carry out the purposes specified under section 1801(a)(2).

#### **"SEC. 1807. ADMINISTRATIVE PROVISIONS.**

"(a) IN GENERAL -- A State that receives funds under this part shall --

"(1) establish a trust fund in which the government will deposit all payments received under this part; and

"(2) use amounts in the trust fund (including interest) during a period not to exceed 2 years from the date the first grant payment is made to the State;

"(3) designate an official of the State to submit reports as the Attorney General reasonably requires, in addition to the annual reports required under this part; and

"(4) spend the funds only for the purposes under section 1801(b).

"(b) TITLE I PROVISIONS -- The administrative provisions of part H shall apply to this part and for purposes of this section any reference in such provisions to title I shall be deemed to include a reference to this part.

#### **"SEC. 1808. DEFINITIONS.**

"For the purposes of this part:

"(1) The term "unit of local government" means --



"(A) a county, township, city, or political subdivision of a county, township, or city, that is a unit of local government as determined by the Secretary of Commerce for general statistical purposes; and

"(B) the District of Columbia and the recognized governing body of an Indian tribe or Alaskan Native village that carries out substantial governmental duties and powers.

"(2) The term "eligible unit" means a unit of local government which may receive funds under section 1803(e).

"(3) The term "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands, except that American Samoa, Guam, and the Northern Mariana Islands shall be considered as 1 State and that, for purposes of section 1803(a), 33 percent of the amounts allocated shall be allocated to American Samoa, 50 percent to Guam, and 17 percent to the Northern Mariana Islands.

"(4) The term "juvenile" means an individual who is 17 years of age or younger.

"(5) The term "law enforcement expenditures" means the expenditures associated with police, prosecutorial, legal, and judicial services, and corrections as reported to the Bureau of the Census for the fiscal year preceding the fiscal year for which a determination is made under this part.

"(6) The term "part 1 violent crimes" means murder and nonnegligent manslaughter, forcible rape, robbery, and aggravated assault as reported to the Federal Bureau of Investigation for purposes of the Uniform Crime Reports.

"(7) The term "serious violent crime" means murder, aggravated sexual assault, and assault with a firearm.

## **"SEC. 1809. AUTHORIZATION OF APPROPRIATIONS.**

"(a) AUTHORIZATION OF APPROPRIATIONS -- There are authorized to be appropriated to carry out this part --

"(1) \$500,000,000 for fiscal year 1998;

"(2) \$500,000,000 for fiscal year 1999; and

"(3) \$500,000,000 for fiscal year 2000.

"(b) OVERSIGHT ACCOUNTABILITY AND ADMINISTRATION -- Not more than 1 percent of the amount authorized to be appropriated under subsection (a), with such amounts to remain available until expended, for each of the fiscal years 1998 through 2000 shall be available to the Attorney General for studying the overall effectiveness and efficiency of the provisions of this part, assuring compliance with the provisions of this part, and for administrative costs to carry out the purposes of this part. The Attorney General shall establish and execute an oversight plan for monitoring the activities of grant recipients.

"(c) FUNDING SOURCE -- Appropriations for activities authorized in this part may be made from the Violent Crime Reduction Trust Fund."

(b) CLERICAL AMENDMENTS -- The table of contents of title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended by striking the item relating to part R and inserting the following:

**"PART R -- JUVENILE ACCOUNTABILITY BLOCK GRANTS**

"Sec. 1801. Program authorized.

"Sec. 1802. Grant eligibility.

"Sec. 1803. Allocation and distribution of funds.

"Sec. 1804. Regulations.

"Sec. 1805. Payment requirements.

"Sec. 1806. Utilization of private sector.

"Sec. 1807. Administrative provisions.

"Sec. 1808. Definitions.

"Sec. 1809. Authorization of appropriations."

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State of Wisconsin  
2001 - 2002 LEGISLATURE

LRBb0371/??

GMM.....  
*king*

LFB:.....Zimmerman – Southern Oaks Girls School mental health unit  
funding

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

**LFB AMENDMENT**

**TO 2001 SENATE BILL 55 AND 2001 ASSEMBLY BILL 144**

1 At the locations indicated, amend the bill as follows:

2 1. Page 1786, line 2: after that line insert:

3 (3) <sup>✓</sup>(5) SOUTHERN OAKS GIRLS SCHOOL MENTAL HEALTH UNIT FUNDING. The secretary  
4 of administration, to the extent permitted under 28 CFR 31.500 to 31.503, shall  
5 transfer from the appropriation under section 20.505 (6) (o) of the statutes to the  
6 appropriation under section 20.410 (3) (kx) of the statutes not more than \$433,100  
7 in fiscal year 2001-02 and not more than \$541,700 in fiscal year 2002-03, from  
8 federal juvenile accountability incentive block grant moneys, for the purpose of  
9 operating the mental health unit at the Southern Oaks Girls School.”

10

(END)

*approp.  
change*

6/5/01 ~~6/5/01~~

① Art 63953

60371

"not more than"  
out

(b)(6) RP'd

∴ (b)(6)(m)



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRBb0371/A (2)

GMM:kmg:jf (12)

DNOR E

SOON

LFB:.....Zimmerman - Southern Oaks Girls School mental health unit  
funding

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 2001 SENATE BILL 55 AND 2001 ASSEMBLY BILL 144

, as affected by this act,

(m)

1 At the locations indicated, amend the bill as follows:

2 1. Page 1786, line 2: after that line insert:

3 “(5v) SOUTHERN OAKS GIRLS SCHOOL MENTAL HEALTH UNIT FUNDING. The secretary  
4 of administration, to the extent permitted under 28 CFR 31.500 to 31.503, shall  
5 transfer from the appropriation under section 20.505 (6) (m) of the statutes, to the  
6 appropriation under section 20.410 (3) (kx) of the statutes not more than \$433,100  
7 in fiscal year 2001-02 and not more than \$541,700 in fiscal year 2002-03, from  
8 federal juvenile accountability incentive block grant moneys, for the purpose of  
9 operating the mental health unit at the Southern Oaks Girls School.”.

10

(END)

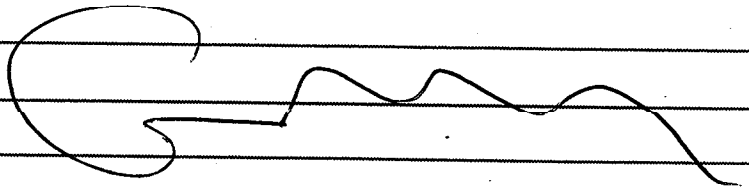
NOTE

Art:

for state operations

By process of elimination, the only federal appropriation remaining under s. 20.505 (b), after the governor's repeal ~~s. 20.505 (b) (3) (A)~~

is s. 20.505 (b) (m). Accordingly, this redraft transfers the moneys from s. 20.505 (b) (m).



**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBb0371/2dn  
GMM:kmg:pg

June 5, 2001

**Art:**

By process of elimination, the only federal appropriation remaining for state operations under s. 20.505 (6), after the governor's repeals, is s. 20.505 (6) (m). Accordingly, this redraft transfers the moneys from s. 20.505 (6) (m).

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LFB:.....Zimmerman – Southern Oaks Girls School mental health unit  
funding

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

## LFB AMENDMENT

**TO 2001 SENATE BILL 55 AND 2001 ASSEMBLY BILL 144**

1 At the locations indicated, amend the bill as follows:

2       **1.** Page 1786, line 2: after that line insert:

“(5v) SOUTHERN OAKS GIRLS SCHOOL MENTAL HEALTH UNIT FUNDING. The secretary of administration, to the extent permitted under 28 CFR 31.500 to 31.503, shall transfer from the appropriation under section 20.505 (6) (m) of the statutes, as affected by this act, to the appropriation under section 20.410 (3) (kx) of the statutes \$433,100 in fiscal year 2001–02 and \$541,700 in fiscal year 2002–03, from federal juvenile accountability incentive block grant moneys, for the purpose of operating the mental health unit at the Southern Oaks Girls School.”.

10 (END)